

108TH CONGRESS  
2D SESSION

# H. CON. RES. 414

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IN THE SENATE OF THE UNITED STATES

MAY 17, 2004

Received and referred to the Committee on the Judiciary

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the *Brown v. Board of Education* decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of *Brown*.

Whereas on May 17, 1954, the United States Supreme Court announced in *Brown v. Board of Education* (347 U.S. 483) that, “in the field of education, the doctrine of ‘separate but equal’ has no place”;

Whereas the *Brown* decision overturned the precedent set in 1896 in *Plessy v. Ferguson* (163 U.S. 537), which had declared “separate but equal facilities” constitutional and

allowed the continued segregation of public schools in the United States on the basis of race;

Whereas the Brown decision recognized as a matter of law that the segregation of public schools deprived students of the equal protection of the laws under the Fourteenth Amendment to the Constitution of the United States;

Whereas the Brown decision stood as a victory for plaintiff Linda Brown, an African American third grader who had been denied admission to an all white public school in Topeka, Kansas;

Whereas the Brown decision stood as a victory for those plaintiffs similarly situated to Linda Brown in the cases that were consolidated with Brown, which included *Briggs v. Elliot* (103 F. Supp. 920), *Davis v. County School Board* (103 F. Supp. 337), and *Gephardt v. Belton* (91 A.2d 137);

Whereas the Brown decision stood as a victory for those that had successfully dismantled school segregation years before Brown through legal challenges such as *Westminster School District v. Mendez* (161 F.2d 774), which ended segregation in schools in Orange County, California;

Whereas the Brown decision stands among all civil rights cases as a symbol of the Federal Government's commitment to fulfill the promise of equality;

Whereas the Brown decision helped lead to the repeal of "Jim Crow" laws and the elimination of many of the severe restrictions placed on the freedom of African Americans;

Whereas the Brown decision helped lead to the enactment of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, religion, or national origin in

workplaces and public establishments that have a connection to interstate commerce or are supported by the State;

Whereas the Brown decision helped lead to the enactment of the Voting Rights Act of 1965 which promotes every American's right to participate in the political process;

Whereas the Brown decision helped lead to the enactment of the Fair Housing Act of 1968 that prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-relating transactions, on the basis of race, color, national origin, religion, sex, familial status, or disability; and

Whereas in 2004, the year marking the 50th anniversary of the Brown decision, inequalities evidenced at the time of such decision have not been completely eradicated: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
2 *concurring), That the Congress—*

3            (1) recognizes and celebrates the 50th anniversary  
4            of the Brown v. Board of Education decision;

5            (2) encourages all Americans to recognize and  
6            celebrate the 50th anniversary of the Brown v.  
7            Board of Education decision; and

8            (3) renews its commitment to continuing and  
9            building on the legacy of Brown with a pledge to

- 1       acknowledge and address the modern day disparities
- 2       that remain.

Passed the House of Representatives May 13, 2004.

Attest:                               JEFF TRANDAHL,  
*Clerk.*